

1 AMENDMENT TO HOUSE BILL 430

2 AMENDMENT NO. _____. Amend House Bill 430 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Section 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

7 Sec. 18-8.05. Basis for apportionment of general State
8 financial aid and supplemental general State aid to the
9 common schools for the 1998-1999 and subsequent school years.

10 (A) General Provisions.

11 (1) The provisions of this Section apply to the
12 1998-1999 and subsequent school years. The system of general
13 State financial aid provided for in this Section is designed
14 to assure that, through a combination of State financial aid
15 and required local resources, the financial support provided
16 each pupil in Average Daily Attendance equals or exceeds a
17 prescribed per pupil Foundation Level. This formula approach
18 imputes a level of per pupil Available Local Resources and
19 provides for the basis to calculate a per pupil level of
20 general State financial aid that, when added to Available
21 Local Resources, equals or exceeds the Foundation Level. The

1 amount of per pupil general State financial aid for school
2 districts, in general, varies in inverse relation to
3 Available Local Resources. Per pupil amounts are based upon
4 each school district's Average Daily Attendance as that term
5 is defined in this Section.

6 (2) In addition to general State financial aid, school
7 districts with specified levels or concentrations of pupils
8 from low income households are eligible to receive
9 supplemental general State financial aid grants as provided
10 pursuant to subsection (H). The supplemental State aid grants
11 provided for school districts under subsection (H) shall be
12 appropriated for distribution to school districts as part of
13 the same line item in which the general State financial aid
14 of school districts is appropriated under this Section.

15 (3) To receive financial assistance under this Section,
16 school districts are required to file claims with the State
17 Board of Education, subject to the following requirements:

18 (a) Any school district which fails for any given
19 school year to maintain school as required by law, or to
20 maintain a recognized school is not eligible to file for
21 such school year any claim upon the Common School Fund.
22 In case of nonrecognition of one or more attendance
23 centers in a school district otherwise operating
24 recognized schools, the claim of the district shall be
25 reduced in the proportion which the Average Daily
26 Attendance in the attendance center or centers bear to
27 the Average Daily Attendance in the school district. A
28 "recognized school" means any public school which meets
29 the standards as established for recognition by the State
30 Board of Education. A school district or attendance
31 center not having recognition status at the end of a
32 school term is entitled to receive State aid payments due
33 upon a legal claim which was filed while it was
34 recognized.

1 (b) School district claims filed under this Section
2 are subject to Sections 18-9, 18-10, and 18-12, except as
3 otherwise provided in this Section.

4 (c) If a school district operates a full year
5 school under Section 10-19.1, the general State aid to
6 the school district shall be determined by the State
7 Board of Education in accordance with this Section as
8 near as may be applicable.

9 (d) (Blank).

10 (4) Except as provided in subsections (H) and (L), the
11 board of any district receiving any of the grants provided
12 for in this Section may apply those funds to any fund so
13 received for which that board is authorized to make
14 expenditures by law.

15 School districts are not required to exert a minimum
16 Operating Tax Rate in order to qualify for assistance under
17 this Section.

18 (5) As used in this Section the following terms, when
19 capitalized, shall have the meaning ascribed herein:

20 (a) "Average Daily Attendance": A count of pupil
21 attendance in school, averaged as provided for in
22 subsection (C) and utilized in deriving per pupil
23 financial support levels.

24 (b) "Available Local Resources": A computation of
25 local financial support, calculated on the basis of
26 Average Daily Attendance and derived as provided pursuant
27 to subsection (D).

28 (c) "Corporate Personal Property Replacement
29 Taxes": Funds paid to local school districts pursuant to
30 "An Act in relation to the abolition of ad valorem
31 personal property tax and the replacement of revenues
32 lost thereby, and amending and repealing certain Acts and
33 parts of Acts in connection therewith", certified August
34 14, 1979, as amended (Public Act 81-1st S.S.-1).

1 (d) "Foundation Level": A prescribed level of per
2 pupil financial support as provided for in subsection
3 (B).

4 (e) "Operating Tax Rate": All school district
5 property taxes extended for all purposes, except Bond and
6 Interest, Summer School, Rent, Capital Improvement, and
7 Vocational Education Building purposes.

8 (B) Foundation Level.

9 (1) The Foundation Level is a figure established by the
10 State representing the minimum level of per pupil financial
11 support that should be available to provide for the basic
12 education of each pupil in Average Daily Attendance. As set
13 forth in this Section, each school district is assumed to
14 exert a sufficient local taxing effort such that, in
15 combination with the aggregate of general State financial aid
16 provided the district, an aggregate of State and local
17 resources are available to meet the basic education needs of
18 pupils in the district.

19 (2) For the 1998-1999 school year, the Foundation Level
20 of support is \$4,225. For the 1999-2000 school year, the
21 Foundation Level of support is \$4,325. For the 2000-2001
22 school year, the Foundation Level of support is \$4,425.

23 (3) For the 2001-2002 school year and each school year
24 thereafter, the Foundation Level of support is \$4,560 or such
25 greater amount as may be established by law by the General
26 Assembly.

27 (C) Average Daily Attendance.

28 (1) For purposes of calculating general State aid
29 pursuant to subsection (E), an Average Daily Attendance
30 figure shall be utilized. The Average Daily Attendance
31 figure for formula calculation purposes shall be the monthly
32 average of the actual number of pupils in attendance of each
33 school district, as further averaged for the best 3 months of

1 pupil attendance for each school district. In compiling the
2 figures for the number of pupils in attendance, school
3 districts and the State Board of Education shall, for
4 purposes of general State aid funding, conform attendance
5 figures to the requirements of subsection (F).

6 (2) The Average Daily Attendance figures utilized in
7 subsection (E) shall be the requisite attendance data for the
8 school year immediately preceding the school year for which
9 general State aid is being calculated or the average of the
10 attendance data for the 3 preceding school years, whichever
11 is greater. The Average Daily Attendance figures utilized in
12 subsection (H) shall be the requisite attendance data for the
13 school year immediately preceding the school year for which
14 general State aid is being calculated.

15 (D) Available Local Resources.

16 (1) For purposes of calculating general State aid
17 pursuant to subsection (E), a representation of Available
18 Local Resources per pupil, as that term is defined and
19 determined in this subsection, shall be utilized. Available
20 Local Resources per pupil shall include a calculated dollar
21 amount representing local school district revenues from local
22 property taxes and from Corporate Personal Property
23 Replacement Taxes, expressed on the basis of pupils in
24 Average Daily Attendance.

25 (2) In determining a school district's revenue from
26 local property taxes, the State Board of Education shall
27 utilize the equalized assessed valuation of all taxable
28 property of each school district as of September 30 of the
29 previous year. The equalized assessed valuation utilized
30 shall be obtained and determined as provided in subsection
31 (G).

32 (3) For school districts maintaining grades kindergarten
33 through 12, local property tax revenues per pupil shall be
34 calculated as the product of the applicable equalized

1 assessed valuation for the district multiplied by 3.00%, and
2 divided by the district's Average Daily Attendance figure.
3 For school districts maintaining grades kindergarten through
4 8, local property tax revenues per pupil shall be calculated
5 as the product of the applicable equalized assessed valuation
6 for the district multiplied by 2.30%, and divided by the
7 district's Average Daily Attendance figure. For school
8 districts maintaining grades 9 through 12, local property tax
9 revenues per pupil shall be the applicable equalized assessed
10 valuation of the district multiplied by 1.05%, and divided by
11 the district's Average Daily Attendance figure.

12 (4) The Corporate Personal Property Replacement Taxes
13 paid to each school district during the calendar year 2 years
14 before the calendar year in which a school year begins,
15 divided by the Average Daily Attendance figure for that
16 district, shall be added to the local property tax revenues
17 per pupil as derived by the application of the immediately
18 preceding paragraph (3). The sum of these per pupil figures
19 for each school district shall constitute Available Local
20 Resources as that term is utilized in subsection (E) in the
21 calculation of general State aid.

22 (E) Computation of General State Aid.

23 (1) For each school year, the amount of general State
24 aid allotted to a school district shall be computed by the
25 State Board of Education as provided in this subsection.

26 (2) For any school district for which Available Local
27 Resources per pupil is less than the product of 0.93 times
28 the Foundation Level, general State aid for that district
29 shall be calculated as an amount equal to the Foundation
30 Level minus Available Local Resources, multiplied by the
31 Average Daily Attendance of the school district.

32 (3) For any school district for which Available Local
33 Resources per pupil is equal to or greater than the product
34 of 0.93 times the Foundation Level and less than the product

1 of 1.75 times the Foundation Level, the general State aid per
2 pupil shall be a decimal proportion of the Foundation Level
3 derived using a linear algorithm. Under this linear
4 algorithm, the calculated general State aid per pupil shall
5 decline in direct linear fashion from 0.07 times the
6 Foundation Level for a school district with Available Local
7 Resources equal to the product of 0.93 times the Foundation
8 Level, to 0.05 times the Foundation Level for a school
9 district with Available Local Resources equal to the product
10 of 1.75 times the Foundation Level. The allocation of
11 general State aid for school districts subject to this
12 paragraph 3 shall be the calculated general State aid per
13 pupil figure multiplied by the Average Daily Attendance of
14 the school district.

15 (4) For any school district for which Available Local
16 Resources per pupil equals or exceeds the product of 1.75
17 times the Foundation Level, the general State aid for the
18 school district shall be calculated as the product of \$218
19 multiplied by the Average Daily Attendance of the school
20 district.

21 (5) The amount of general State aid allocated to a
22 school district for the 1999-2000 school year meeting the
23 requirements set forth in paragraph (4) of subsection (G)
24 shall be increased by an amount equal to the general State
25 aid that would have been received by the district for the
26 1998-1999 school year by utilizing the Extension Limitation
27 Equalized Assessed Valuation as calculated in paragraph (4)
28 of subsection (G) less the general State aid allotted for the
29 1998-1999 school year. This amount shall be deemed a one
30 time increase, and shall not affect any future general State
31 aid allocations.

32 (F) Compilation of Average Daily Attendance.

33 (1) Each school district shall, by July 1 of each year,
34 submit to the State Board of Education, on forms prescribed

1 by the State Board of Education, attendance figures for the
2 school year that began in the preceding calendar year. The
3 attendance information so transmitted shall identify the
4 average daily attendance figures for each month of the school
5 year. Beginning with the general State aid claim form for
6 the 2002-2003 school year, districts shall calculate Average
7 Daily Attendance as provided in subdivisions (a), (b), and
8 (c) of this paragraph (1).

9 (a) In districts that do not hold year-round
10 classes, days of attendance in August shall be added to
11 the month of September and any days of attendance in June
12 shall be added to the month of May.

13 (b) In districts in which all buildings hold
14 year-round classes, days of attendance in July and August
15 shall be added to the month of September and any days of
16 attendance in June shall be added to the month of May.

17 (c) In districts in which some buildings, but not
18 all, hold year-round classes, for the non-year-round
19 buildings, days of attendance in August shall be added to
20 the month of September and any days of attendance in June
21 shall be added to the month of May. The average daily
22 attendance for the year-round buildings shall be computed
23 as provided in subdivision (b) of this paragraph (1). To
24 calculate the Average Daily Attendance for the district,
25 the average daily attendance for the year-round buildings
26 shall be multiplied by the days in session for the
27 non-year-round buildings for each month and added to the
28 monthly attendance of the non-year-round buildings.

29 Except as otherwise provided in this Section, days of
30 attendance by pupils shall be counted only for sessions of
31 not less than 5 clock hours of school work per day under
32 direct supervision of: (i) teachers, or (ii) non-teaching
33 personnel or volunteer personnel when engaging in
34 non-teaching duties and supervising in those instances

1 specified in subsection (a) of Section 10-22.34 and paragraph
2 10 of Section 34-18, with pupils of legal school age and in
3 kindergarten and grades 1 through 12.

4 Days of attendance by tuition pupils shall be accredited
5 only to the districts that pay the tuition to a recognized
6 school.

7 (2) Days of attendance by pupils of less than 5 clock
8 hours of school shall be subject to the following provisions
9 in the compilation of Average Daily Attendance.

10 (a) Pupils regularly enrolled in a public school
11 for only a part of the school day may be counted on the
12 basis of 1/6 day for every class hour of instruction of
13 40 minutes or more attended pursuant to such enrollment,
14 unless a pupil is enrolled in a block-schedule format of
15 80 minutes or more of instruction, in which case the
16 pupil may be counted on the basis of the proportion of
17 minutes of school work completed each day to the minimum
18 number of minutes that school work is required to be held
19 that day.

20 (b) Days of attendance may be less than 5 clock
21 hours on the opening and closing of the school term, and
22 upon the first day of pupil attendance, if preceded by a
23 day or days utilized as an institute or teachers'
24 workshop.

25 (c) A session of 4 or more clock hours may be
26 counted as a day of attendance upon certification by the
27 regional superintendent, and approved by the State
28 Superintendent of Education to the extent that the
29 district has been forced to use daily multiple sessions.

30 (d) A session of 3 or more clock hours may be
31 counted as a day of attendance (1) when the remainder of
32 the school day or at least 2 hours in the evening of that
33 day is utilized for an in-service training program for
34 teachers, up to a maximum of 5 days per school year of

1 which a maximum of 4 days of such 5 days may be used for
2 parent-teacher conferences, provided a district conducts
3 an in-service training program for teachers which has
4 been approved by the State Superintendent of Education;
5 or, in lieu of 4 such days, 2 full days may be used, in
6 which event each such day may be counted as a day of
7 attendance; and (2) when days in addition to those
8 provided in item (1) are scheduled by a school pursuant
9 to its school improvement plan adopted under Article 34
10 or its revised or amended school improvement plan adopted
11 under Article 2, provided that (i) such sessions of 3 or
12 more clock hours are scheduled to occur at regular
13 intervals, (ii) the remainder of the school days in which
14 such sessions occur are utilized for in-service training
15 programs or other staff development activities for
16 teachers, and (iii) a sufficient number of minutes of
17 school work under the direct supervision of teachers are
18 added to the school days between such regularly scheduled
19 sessions to accumulate not less than the number of
20 minutes by which such sessions of 3 or more clock hours
21 fall short of 5 clock hours. Any full days used for the
22 purposes of this paragraph shall not be considered for
23 computing average daily attendance. Days scheduled for
24 in-service training programs, staff development
25 activities, or parent-teacher conferences may be
26 scheduled separately for different grade levels and
27 different attendance centers of the district.

28 (e) A session of not less than one clock hour of
29 teaching hospitalized or homebound pupils on-site or by
30 telephone to the classroom may be counted as 1/2 day of
31 attendance, however these pupils must receive 4 or more
32 clock hours of instruction to be counted for a full day
33 of attendance.

34 (f) A session of at least 4 clock hours may be

1 counted as a day of attendance for first grade pupils,
2 and pupils in full day kindergartens, and a session of 2
3 or more hours may be counted as 1/2 day of attendance by
4 pupils in kindergartens which provide only 1/2 day of
5 attendance.

6 (g) For children with disabilities who are below
7 the age of 6 years and who cannot attend 2 or more clock
8 hours because of their disability or immaturity, a
9 session of not less than one clock hour may be counted as
10 1/2 day of attendance; however for such children whose
11 educational needs so require a session of 4 or more clock
12 hours may be counted as a full day of attendance.

13 (h) A recognized kindergarten which provides for
14 only 1/2 day of attendance by each pupil shall not have
15 more than 1/2 day of attendance counted in any one day.
16 However, kindergartens may count 2 1/2 days of attendance
17 in any 5 consecutive school days. When a pupil attends
18 such a kindergarten for 2 half days on any one school
19 day, the pupil shall have the following day as a day
20 absent from school, unless the school district obtains
21 permission in writing from the State Superintendent of
22 Education. Attendance at kindergartens which provide for
23 a full day of attendance by each pupil shall be counted
24 the same as attendance by first grade pupils. Only the
25 first year of attendance in one kindergarten shall be
26 counted, except in case of children who entered the
27 kindergarten in their fifth year whose educational
28 development requires a second year of kindergarten as
29 determined under the rules and regulations of the State
30 Board of Education.

31 (G) Equalized Assessed Valuation Data.

32 (1) For purposes of the calculation of Available Local
33 Resources required pursuant to subsection (D), the State
34 Board of Education shall secure from the Department of

1 Revenue the value as equalized or assessed by the Department
2 of Revenue of all taxable property of every school district,
3 together with (i) the applicable tax rate used in extending
4 taxes for the funds of the district as of September 30 of the
5 previous year and (ii) the limiting rate for all school
6 districts subject to property tax extension limitations as
7 imposed under the Property Tax Extension Limitation Law.

8 This equalized assessed valuation, as adjusted further by
9 the requirements of this subsection, shall be utilized in the
10 calculation of Available Local Resources.

11 (2) The equalized assessed valuation in paragraph (1)
12 shall be adjusted, as applicable, in the following manner:

13 (a) For the purposes of calculating State aid under
14 this Section, with respect to any part of a school
15 district within a redevelopment project area in respect
16 to which a municipality has adopted tax increment
17 allocation financing pursuant to the Tax Increment
18 Allocation Redevelopment Act, Sections 11-74.4-1 through
19 11-74.4-11 of the Illinois Municipal Code or the
20 Industrial Jobs Recovery Law, Sections 11-74.6-1 through
21 11-74.6-50 of the Illinois Municipal Code, no part of the
22 current equalized assessed valuation of real property
23 located in any such project area which is attributable to
24 an increase above the total initial equalized assessed
25 valuation of such property shall be used as part of the
26 equalized assessed valuation of the district, until such
27 time as all redevelopment project costs have been paid,
28 as provided in Section 11-74.4-8 of the Tax Increment
29 Allocation Redevelopment Act or in Section 11-74.6-35 of
30 the Industrial Jobs Recovery Law. For the purpose of the
31 equalized assessed valuation of the district, the total
32 initial equalized assessed valuation or the current
33 equalized assessed valuation, whichever is lower, shall
34 be used until such time as all redevelopment project

1 costs have been paid.

2 (b) The real property equalized assessed valuation
3 for a school district shall be adjusted by subtracting
4 from the real property value as equalized or assessed by
5 the Department of Revenue for the district an amount
6 computed by dividing the amount of any abatement of taxes
7 under Section 18-170 of the Property Tax Code by 3.00%
8 for a district maintaining grades kindergarten through
9 12, by 2.30% for a district maintaining grades
10 kindergarten through 8, or by 1.05% for a district
11 maintaining grades 9 through 12 and adjusted by an amount
12 computed by dividing the amount of any abatement of taxes
13 under subsection (a) of Section 18-165 of the Property
14 Tax Code by the same percentage rates for district type
15 as specified in this subparagraph (b).

16 (3) For the 1999-2000 school year and each school year
17 thereafter, if a school district meets all of the criteria of
18 this subsection (G)(3), the school district's Available Local
19 Resources shall be calculated under subsection (D) using the
20 district's Extension Limitation Equalized Assessed Valuation
21 as calculated under this subsection (G)(3).

22 For purposes of this subsection (G)(3) the following
23 terms shall have the following meanings:

24 "Budget Year": The school year for which general
25 State aid is calculated and awarded under subsection (E).

26 "Base Tax Year": The property tax levy year used to
27 calculate the Budget Year allocation of general State
28 aid.

29 "Preceding Tax Year": The property tax levy year
30 immediately preceding the Base Tax Year.

31 "Base Tax Year's Tax Extension": The product of the
32 equalized assessed valuation utilized by the County Clerk
33 in the Base Tax Year multiplied by the limiting rate as
34 calculated by the County Clerk and defined in the

1 Property Tax Extension Limitation Law.

2 "Preceding Tax Year's Tax Extension": The product of
3 the equalized assessed valuation utilized by the County
4 Clerk in the Preceding Tax Year multiplied by the
5 Operating Tax Rate as defined in subsection (A).

6 "Extension Limitation Ratio": A numerical ratio,
7 certified by the County Clerk, in which the numerator is
8 the Base Tax Year's Tax Extension and the denominator is
9 the Preceding Tax Year's Tax Extension.

10 "Operating Tax Rate": The operating tax rate as
11 defined in subsection (A).

12 If a school district is subject to property tax extension
13 limitations as imposed under the Property Tax Extension
14 Limitation Law, the State Board of Education shall calculate
15 the Extension Limitation Equalized Assessed Valuation of that
16 district. For the 1999-2000 school year, the Extension
17 Limitation Equalized Assessed Valuation of a school district
18 as calculated by the State Board of Education shall be equal
19 to the product of the district's 1996 Equalized Assessed
20 Valuation and the district's Extension Limitation Ratio. For
21 the 2000-2001 school year and each school year thereafter,
22 the Extension Limitation Equalized Assessed Valuation of a
23 school district as calculated by the State Board of Education
24 shall be equal to the product of the Equalized Assessed
25 Valuation last used in the calculation of general State aid
26 and the district's Extension Limitation Ratio. If the
27 Extension Limitation Equalized Assessed Valuation of a school
28 district as calculated under this subsection (G)(3) is less
29 than the district's equalized assessed valuation as
30 calculated pursuant to subsections (G)(1) and (G)(2), then
31 for purposes of calculating the district's general State aid
32 for the Budget Year pursuant to subsection (E), that
33 Extension Limitation Equalized Assessed Valuation shall be
34 utilized to calculate the district's Available Local

1 Resources under subsection (D).

2 (4) For the purposes of calculating general State aid
3 for the 1999-2000 school year only, if a school district
4 experienced a triennial reassessment on the equalized
5 assessed valuation used in calculating its general State
6 financial aid apportionment for the 1998-1999 school year,
7 the State Board of Education shall calculate the Extension
8 Limitation Equalized Assessed Valuation that would have been
9 used to calculate the district's 1998-1999 general State aid.
10 This amount shall equal the product of the equalized assessed
11 valuation used to calculate general State aid for the
12 1997-1998 school year and the district's Extension Limitation
13 Ratio. If the Extension Limitation Equalized Assessed
14 Valuation of the school district as calculated under this
15 paragraph (4) is less than the district's equalized assessed
16 valuation utilized in calculating the district's 1998-1999
17 general State aid allocation, then for purposes of
18 calculating the district's general State aid pursuant to
19 paragraph (5) of subsection (E), that Extension Limitation
20 Equalized Assessed Valuation shall be utilized to calculate
21 the district's Available Local Resources.

22 (5) For school districts having a majority of their
23 equalized assessed valuation in any county except Cook,
24 DuPage, Kane, Lake, McHenry, or Will, if the amount of
25 general State aid allocated to the school district for the
26 1999-2000 school year under the provisions of subsection (E),
27 (H), and (J) of this Section is less than the amount of
28 general State aid allocated to the district for the 1998-1999
29 school year under these subsections, then the general State
30 aid of the district for the 1999-2000 school year only shall
31 be increased by the difference between these amounts. The
32 total payments made under this paragraph (5) shall not exceed
33 \$14,000,000. Claims shall be prorated if they exceed
34 \$14,000,000.

1 (H) Supplemental General State Aid.

2 (1) In addition to the general State aid a school
3 district is allotted pursuant to subsection (E), qualifying
4 school districts shall receive a grant, paid in conjunction
5 with a district's payments of general State aid, for
6 supplemental general State aid based upon the concentration
7 level of children from low-income households within the
8 school district. Supplemental State aid grants provided for
9 school districts under this subsection shall be appropriated
10 for distribution to school districts as part of the same line
11 item in which the general State financial aid of school
12 districts is appropriated under this Section.

13 (1.5) This paragraph (1.5) applies only to those school
14 years preceding the 2003-2004 school year. For purposes of
15 this subsection (H), the term "Low-Income Concentration
16 Level" shall be the low-income eligible pupil count from the
17 most recently available federal census divided by the Average
18 Daily Attendance of the school district. If, however, (i) the
19 percentage decrease from the 2 most recent federal censuses
20 in the low-income eligible pupil count of a high school
21 district with fewer than 400 students exceeds by 75% or more
22 the percentage change in the total low-income eligible pupil
23 count of contiguous elementary school districts, whose
24 boundaries are coterminous with the high school district, or
25 (ii) a high school district within 2 counties and serving 5
26 elementary school districts, whose boundaries are coterminous
27 with the high school district, has a percentage decrease from
28 the 2 most recent federal censuses in the low-income eligible
29 pupil count and there is a percentage increase in the total
30 low-income eligible pupil count of a majority of the
31 elementary school districts in excess of 50% from the 2 most
32 recent federal censuses, then the high school district's
33 low-income eligible pupil count from the earlier federal
34 census shall be the number used as the low-income eligible

1 pupil count for the high school district, for purposes of
2 this subsection (H). The changes made to this paragraph (1)
3 by Public Act 92-28 shall apply to supplemental general State
4 aid grants for school years preceding the 2003-2004 school
5 year that are paid in fiscal year 1999 or ~~and-in-each-fiscal~~
6 year thereafter and to any State aid payments made in fiscal
7 year 1994 through fiscal year 1998 pursuant to subsection
8 1(n) of Section 18-8 of this Code (which was repealed on July
9 1, 1998), and any high school district that is affected by
10 Public Act 92-28 is entitled to a recomputation of its
11 supplemental general State aid grant or State aid paid in any
12 of those fiscal years. This recomputation shall not be
13 affected by any other funding.

14 (1.10) This paragraph (1.10) applies to the 2003-2004
15 school year and each school year thereafter. For purposes of
16 this subsection (4), the term "Low-Income Concentration
17 Level" shall be the low-income eligible pupil count (as
18 determined by the Department of Human Services based on the
19 number of pupils who are eligible for at least one of the
20 following low income programs: Medicaid, KidCare, TANF, and
21 Food Stamps) divided by the Average Daily Attendance of the
22 school district.

23 (2) Supplemental general State aid pursuant to this
24 subsection (H) shall be provided as follows for the
25 1998-1999, 1999-2000, and 2000-2001 school years only:

26 (a) For any school district with a Low Income
27 Concentration Level of at least 20% and less than 35%,
28 the grant for any school year shall be \$800 multiplied by
29 the low income eligible pupil count.

30 (b) For any school district with a Low Income
31 Concentration Level of at least 35% and less than 50%,
32 the grant for the 1998-1999 school year shall be \$1,100
33 multiplied by the low income eligible pupil count.

34 (c) For any school district with a Low Income

1 Concentration Level of at least 50% and less than 60%,
2 the grant for the 1998-99 school year shall be \$1,500
3 multiplied by the low income eligible pupil count.

4 (d) For any school district with a Low Income
5 Concentration Level of 60% or more, the grant for the
6 1998-99 school year shall be \$1,900 multiplied by the low
7 income eligible pupil count.

8 (e) For the 1999-2000 school year, the per pupil
9 amount specified in subparagraphs (b), (c), and (d)
10 immediately above shall be increased to \$1,243, \$1,600,
11 and \$2,000, respectively.

12 (f) For the 2000-2001 school year, the per pupil
13 amounts specified in subparagraphs (b), (c), and (d)
14 immediately above shall be \$1,273, \$1,640, and \$2,050,
15 respectively.

16 (2.5) Supplemental general State aid pursuant to this
17 subsection (H) shall be provided as follows for the 2002-2003
18 school year ~~and each school year thereafter~~:

19 (a) For any school district with a Low Income
20 Concentration Level of less than 10%, the grant for each
21 school year shall be \$355 multiplied by the low income
22 eligible pupil count.

23 (b) For any school district with a Low Income
24 Concentration Level of at least 10% and less than 20%,
25 the grant for each school year shall be \$675 multiplied
26 by the low income eligible pupil count.

27 (c) For any school district with a Low Income
28 Concentration Level of at least 20% and less than 35%,
29 the grant for each school year shall be \$1,330 multiplied
30 by the low income eligible pupil count.

31 (d) For any school district with a Low Income
32 Concentration Level of at least 35% and less than 50%,
33 the grant for each school year shall be \$1,362 multiplied
34 by the low income eligible pupil count.

1 (e) For any school district with a Low Income
2 Concentration Level of at least 50% and less than 60%,
3 the grant for each school year shall be \$1,680 multiplied
4 by the low income eligible pupil count.

5 (f) For any school district with a Low Income
6 Concentration Level of 60% or more, the grant for each
7 school year shall be \$2,080 multiplied by the low income
8 eligible pupil count.

9 (2.10) Except as otherwise provided, supplemental
10 general State aid pursuant to this subsection (H) shall be
11 provided as follows for the 2003-2004 school year and each
12 school year thereafter:

13 (a) For any school district with a Low Income
14 Concentration Level of 15% or less, the grant for each
15 school year shall be \$355 multiplied by the low income
16 eligible pupil count.

17 (b) For any school district with a Low Income
18 Concentration Level greater than 15%, the grant for each
19 school year shall be \$294.25 added to the product of
20 \$2,700 and the square of the Low Income Concentration
21 Level, all multiplied by the low income eligible pupil
22 count.

23 For the 2003-2004 school year only, the grant shall be no
24 less than the grant for the 2002-2003 school year. For the
25 2004-2005 school year only, the grant shall be no less than
26 the grant for the 2002-2003 school year multiplied by 0.66.
27 For the 2005-2006 school year only, the grant shall be no
28 less than the grant for the 2002-2003 school year multiplied
29 by 0.33.

30 For the 2003-2004 school year only, the grant shall be no
31 greater than 1.25 multiplied by the amount of the grant
32 received during the 2002-2003 school year. For the 2004-2005
33 school year only, the grant shall be no greater than 1.50
34 multiplied by the grant received during the 2002-2003 school

1 year. For the 2005-2006 school year only, the grant shall be
2 no greater than 1.75 multiplied by the grant received during
3 the 2002-2003 school year.

4 (3) School districts with an Average Daily Attendance of
5 more than 1,000 and less than 50,000 that qualify for
6 supplemental general State aid pursuant to this subsection
7 shall submit a plan to the State Board of Education prior to
8 October 30 of each year for the use of the funds resulting
9 from this grant of supplemental general State aid for the
10 improvement of instruction in which priority is given to
11 meeting the education needs of disadvantaged children. Such
12 plan shall be submitted in accordance with rules and
13 regulations promulgated by the State Board of Education.

14 (4) School districts with an Average Daily Attendance of
15 50,000 or more that qualify for supplemental general State
16 aid pursuant to this subsection shall be required to
17 distribute from funds available pursuant to this Section, no
18 less than \$261,000,000 in accordance with the following
19 requirements:

20 (a) The required amounts shall be distributed to
21 the attendance centers within the district in proportion
22 to the number of pupils enrolled at each attendance
23 center who are eligible to receive free or reduced-price
24 lunches or breakfasts under the federal Child Nutrition
25 Act of 1966 and under the National School Lunch Act
26 during the immediately preceding school year.

27 (b) The distribution of these portions of
28 supplemental and general State aid among attendance
29 centers according to these requirements shall not be
30 compensated for or contravened by adjustments of the
31 total of other funds appropriated to any attendance
32 centers, and the Board of Education shall utilize funding
33 from one or several sources in order to fully implement
34 this provision annually prior to the opening of school.

1 (c) Each attendance center shall be provided by the
2 school district a distribution of noncategorical funds
3 and other categorical funds to which an attendance center
4 is entitled under law in order that the general State aid
5 and supplemental general State aid provided by
6 application of this subsection supplements rather than
7 supplants the noncategorical funds and other categorical
8 funds provided by the school district to the attendance
9 centers.

10 (d) Any funds made available under this subsection
11 that by reason of the provisions of this subsection are
12 not required to be allocated and provided to attendance
13 centers may be used and appropriated by the board of the
14 district for any lawful school purpose.

15 (e) Funds received by an attendance center pursuant
16 to this subsection shall be used by the attendance center
17 at the discretion of the principal and local school
18 council for programs to improve educational opportunities
19 at qualifying schools through the following programs and
20 services: early childhood education, reduced class size
21 or improved adult to student classroom ratio, enrichment
22 programs, remedial assistance, attendance improvement,
23 and other educationally beneficial expenditures which
24 supplement the regular and basic programs as determined
25 by the State Board of Education. Funds provided shall not
26 be expended for any political or lobbying purposes as
27 defined by board rule.

28 (f) Each district subject to the provisions of this
29 subdivision (H)(4) shall submit an acceptable plan to
30 meet the educational needs of disadvantaged children, in
31 compliance with the requirements of this paragraph, to
32 the State Board of Education prior to July 15 of each
33 year. This plan shall be consistent with the decisions of
34 local school councils concerning the school expenditure

1 plans developed in accordance with part 4 of Section
2 34-2.3. The State Board shall approve or reject the plan
3 within 60 days after its submission. If the plan is
4 rejected, the district shall give written notice of
5 intent to modify the plan within 15 days of the
6 notification of rejection and then submit a modified plan
7 within 30 days after the date of the written notice of
8 intent to modify. Districts may amend approved plans
9 pursuant to rules promulgated by the State Board of
10 Education.

11 Upon notification by the State Board of Education
12 that the district has not submitted a plan prior to July
13 15 or a modified plan within the time period specified
14 herein, the State aid funds affected by that plan or
15 modified plan shall be withheld by the State Board of
16 Education until a plan or modified plan is submitted.

17 If the district fails to distribute State aid to
18 attendance centers in accordance with an approved plan,
19 the plan for the following year shall allocate funds, in
20 addition to the funds otherwise required by this
21 subsection, to those attendance centers which were
22 underfunded during the previous year in amounts equal to
23 such underfunding.

24 For purposes of determining compliance with this
25 subsection in relation to the requirements of attendance
26 center funding, each district subject to the provisions
27 of this subsection shall submit as a separate document by
28 December 1 of each year a report of expenditure data for
29 the prior year in addition to any modification of its
30 current plan. If it is determined that there has been a
31 failure to comply with the expenditure provisions of this
32 subsection regarding contravention or supplanting, the
33 State Superintendent of Education shall, within 60 days
34 of receipt of the report, notify the district and any

1 affected local school council. The district shall within
2 45 days of receipt of that notification inform the State
3 Superintendent of Education of the remedial or corrective
4 action to be taken, whether by amendment of the current
5 plan, if feasible, or by adjustment in the plan for the
6 following year. Failure to provide the expenditure
7 report or the notification of remedial or corrective
8 action in a timely manner shall result in a withholding
9 of the affected funds.

10 The State Board of Education shall promulgate rules
11 and regulations to implement the provisions of this
12 subsection. No funds shall be released under this
13 subdivision (H)(4) to any district that has not submitted
14 a plan that has been approved by the State Board of
15 Education.

16 (I) General State Aid for Newly Configured School Districts.

17 (1) For a new school district formed by combining
18 property included totally within 2 or more previously
19 existing school districts, for its first year of existence
20 the general State aid and supplemental general State aid
21 calculated under this Section shall be computed for the new
22 district and for the previously existing districts for which
23 property is totally included within the new district. If the
24 computation on the basis of the previously existing districts
25 is greater, a supplementary payment equal to the difference
26 shall be made for the first 4 years of existence of the new
27 district.

28 (2) For a school district which annexes all of the
29 territory of one or more entire other school districts, for
30 the first year during which the change of boundaries
31 attributable to such annexation becomes effective for all
32 purposes as determined under Section 7-9 or 7A-8, the general
33 State aid and supplemental general State aid calculated under
34 this Section shall be computed for the annexing district as

1 constituted after the annexation and for the annexing and
2 each annexed district as constituted prior to the annexation;
3 and if the computation on the basis of the annexing and
4 annexed districts as constituted prior to the annexation is
5 greater, a supplementary payment equal to the difference
6 shall be made for the first 4 years of existence of the
7 annexing school district as constituted upon such annexation.

8 (3) For 2 or more school districts which annex all of
9 the territory of one or more entire other school districts,
10 and for 2 or more community unit districts which result upon
11 the division (pursuant to petition under Section 11A-2) of
12 one or more other unit school districts into 2 or more parts
13 and which together include all of the parts into which such
14 other unit school district or districts are so divided, for
15 the first year during which the change of boundaries
16 attributable to such annexation or division becomes effective
17 for all purposes as determined under Section 7-9 or 11A-10,
18 as the case may be, the general State aid and supplemental
19 general State aid calculated under this Section shall be
20 computed for each annexing or resulting district as
21 constituted after the annexation or division and for each
22 annexing and annexed district, or for each resulting and
23 divided district, as constituted prior to the annexation or
24 division; and if the aggregate of the general State aid and
25 supplemental general State aid as so computed for the
26 annexing or resulting districts as constituted after the
27 annexation or division is less than the aggregate of the
28 general State aid and supplemental general State aid as so
29 computed for the annexing and annexed districts, or for the
30 resulting and divided districts, as constituted prior to the
31 annexation or division, then a supplementary payment equal to
32 the difference shall be made and allocated between or among
33 the annexing or resulting districts, as constituted upon such
34 annexation or division, for the first 4 years of their

1 existence. The total difference payment shall be allocated
2 between or among the annexing or resulting districts in the
3 same ratio as the pupil enrollment from that portion of the
4 annexed or divided district or districts which is annexed to
5 or included in each such annexing or resulting district bears
6 to the total pupil enrollment from the entire annexed or
7 divided district or districts, as such pupil enrollment is
8 determined for the school year last ending prior to the date
9 when the change of boundaries attributable to the annexation
10 or division becomes effective for all purposes. The amount
11 of the total difference payment and the amount thereof to be
12 allocated to the annexing or resulting districts shall be
13 computed by the State Board of Education on the basis of
14 pupil enrollment and other data which shall be certified to
15 the State Board of Education, on forms which it shall provide
16 for that purpose, by the regional superintendent of schools
17 for each educational service region in which the annexing and
18 annexed districts, or resulting and divided districts are
19 located.

20 (3.5) Claims for financial assistance under this
21 subsection (I) shall not be recomputed except as expressly
22 provided under this Section.

23 (4) Any supplementary payment made under this subsection
24 (I) shall be treated as separate from all other payments made
25 pursuant to this Section.

26 (J) Supplementary Grants in Aid.

27 (1) Notwithstanding any other provisions of this
28 Section, the amount of the aggregate general State aid in
29 combination with supplemental general State aid under this
30 Section for which each school district is eligible shall be
31 no less than the amount of the aggregate general State aid
32 entitlement that was received by the district under Section
33 18-8 (exclusive of amounts received under subsections 5(p)
34 and 5(p-5) of that Section) for the 1997-98 school year,

1 pursuant to the provisions of that Section as it was then in
2 effect. If a school district qualifies to receive a
3 supplementary payment made under this subsection (J), the
4 amount of the aggregate general State aid in combination with
5 supplemental general State aid under this Section which that
6 district is eligible to receive for each school year shall be
7 no less than the amount of the aggregate general State aid
8 entitlement that was received by the district under Section
9 18-8 (exclusive of amounts received under subsections 5(p)
10 and 5(p-5) of that Section) for the 1997-1998 school year,
11 pursuant to the provisions of that Section as it was then in
12 effect.

13 (2) If, as provided in paragraph (1) of this subsection
14 (J), a school district is to receive aggregate general State
15 aid in combination with supplemental general State aid under
16 this Section for the 1998-99 school year and any subsequent
17 school year that in any such school year is less than the
18 amount of the aggregate general State aid entitlement that
19 the district received for the 1997-98 school year, the school
20 district shall also receive, from a separate appropriation
21 made for purposes of this subsection (J), a supplementary
22 payment that is equal to the amount of the difference in the
23 aggregate State aid figures as described in paragraph (1).

24 (3) (Blank).

25 (K) Grants to Laboratory and Alternative Schools.

26 In calculating the amount to be paid to the governing
27 board of a public university that operates a laboratory
28 school under this Section or to any alternative school that
29 is operated by a regional superintendent of schools, the
30 State Board of Education shall require by rule such reporting
31 requirements as it deems necessary.

32 As used in this Section, "laboratory school" means a
33 public school which is created and operated by a public
34 university and approved by the State Board of Education. The

1 governing board of a public university which receives funds
2 from the State Board under this subsection (K) may not
3 increase the number of students enrolled in its laboratory
4 school from a single district, if that district is already
5 sending 50 or more students, except under a mutual agreement
6 between the school board of a student's district of residence
7 and the university which operates the laboratory school. A
8 laboratory school may not have more than 1,000 students,
9 excluding students with disabilities in a special education
10 program.

11 As used in this Section, "alternative school" means a
12 public school which is created and operated by a Regional
13 Superintendent of Schools and approved by the State Board of
14 Education. Such alternative schools may offer courses of
15 instruction for which credit is given in regular school
16 programs, courses to prepare students for the high school
17 equivalency testing program or vocational and occupational
18 training. A regional superintendent of schools may contract
19 with a school district or a public community college district
20 to operate an alternative school. An alternative school
21 serving more than one educational service region may be
22 established by the regional superintendents of schools of the
23 affected educational service regions. An alternative school
24 serving more than one educational service region may be
25 operated under such terms as the regional superintendents of
26 schools of those educational service regions may agree.

27 Each laboratory and alternative school shall file, on
28 forms provided by the State Superintendent of Education, an
29 annual State aid claim which states the Average Daily
30 Attendance of the school's students by month. The best 3
31 months' Average Daily Attendance shall be computed for each
32 school. The general State aid entitlement shall be computed
33 by multiplying the applicable Average Daily Attendance by the
34 Foundation Level as determined under this Section.

1 (L) Payments, Additional Grants in Aid and Other
2 Requirements.

3 (1) For a school district operating under the financial
4 supervision of an Authority created under Article 34A, the
5 general State aid otherwise payable to that district under
6 this Section, but not the supplemental general State aid,
7 shall be reduced by an amount equal to the budget for the
8 operations of the Authority as certified by the Authority to
9 the State Board of Education, and an amount equal to such
10 reduction shall be paid to the Authority created for such
11 district for its operating expenses in the manner provided in
12 Section 18-11. The remainder of general State school aid for
13 any such district shall be paid in accordance with Article
14 34A when that Article provides for a disposition other than
15 that provided by this Article.

16 (2) (Blank).

17 (3) Summer school. Summer school payments shall be made
18 as provided in Section 18-4.3.

19 (M) Education Funding Advisory Board.

20 The Education Funding Advisory Board, hereinafter in this
21 subsection (M) referred to as the "Board", is hereby created.
22 The Board shall consist of 5 members who are appointed by the
23 Governor, by and with the advice and consent of the Senate.
24 The members appointed shall include representatives of
25 education, business, and the general public. One of the
26 members so appointed shall be designated by the Governor at
27 the time the appointment is made as the chairperson of the
28 Board. The initial members of the Board may be appointed any
29 time after the effective date of this amendatory Act of 1997.
30 The regular term of each member of the Board shall be for 4
31 years from the third Monday of January of the year in which
32 the term of the member's appointment is to commence, except
33 that of the 5 initial members appointed to serve on the
34 Board, the member who is appointed as the chairperson shall

1 serve for a term that commences on the date of his or her
2 appointment and expires on the third Monday of January, 2002,
3 and the remaining 4 members, by lots drawn at the first
4 meeting of the Board that is held after all 5 members are
5 appointed, shall determine 2 of their number to serve for
6 terms that commence on the date of their respective
7 appointments and expire on the third Monday of January, 2001,
8 and 2 of their number to serve for terms that commence on the
9 date of their respective appointments and expire on the third
10 Monday of January, 2000. All members appointed to serve on
11 the Board shall serve until their respective successors are
12 appointed and confirmed. Vacancies shall be filled in the
13 same manner as original appointments. If a vacancy in
14 membership occurs at a time when the Senate is not in
15 session, the Governor shall make a temporary appointment
16 until the next meeting of the Senate, when he or she shall
17 appoint, by and with the advice and consent of the Senate, a
18 person to fill that membership for the unexpired term. If
19 the Senate is not in session when the initial appointments
20 are made, those appointments shall be made as in the case of
21 vacancies.

22 The Education Funding Advisory Board shall be deemed
23 established, and the initial members appointed by the
24 Governor to serve as members of the Board shall take office,
25 on the date that the Governor makes his or her appointment of
26 the fifth initial member of the Board, whether those initial
27 members are then serving pursuant to appointment and
28 confirmation or pursuant to temporary appointments that are
29 made by the Governor as in the case of vacancies.

30 The State Board of Education shall provide such staff
31 assistance to the Education Funding Advisory Board as is
32 reasonably required for the proper performance by the Board
33 of its responsibilities.

34 For school years after the 2000-2001 school year, the

1 Education Funding Advisory Board, in consultation with the
2 State Board of Education, shall make recommendations as
3 provided in this subsection (M) to the General Assembly for
4 the foundation level under subdivision (B)(3) of this Section
5 and for the supplemental general State aid grant level under
6 subsection (H) of this Section for districts with high
7 concentrations of children from poverty. The recommended
8 foundation level shall be determined based on a methodology
9 which incorporates the basic education expenditures of
10 low-spending schools exhibiting high academic performance.
11 The Education Funding Advisory Board shall make such
12 recommendations to the General Assembly on January 1 of odd
13 numbered years, beginning January 1, 2001.

14 (N) (Blank).

15 (O) References.

16 (1) References in other laws to the various subdivisions
17 of Section 18-8 as that Section existed before its repeal and
18 replacement by this Section 18-8.05 shall be deemed to refer
19 to the corresponding provisions of this Section 18-8.05, to
20 the extent that those references remain applicable.

21 (2) References in other laws to State Chapter 1 funds
22 shall be deemed to refer to the supplemental general State
23 aid provided under subsection (H) of this Section.

24 (Source: P.A. 91-24, eff. 7-1-99; 91-93, eff. 7-9-99; 91-96,
25 eff. 7-9-99; 91-111, eff. 7-14-99; 91-357, eff. 7-29-99;
26 91-533, eff. 8-13-99; 92-7, eff. 6-29-01; 92-16, eff.
27 6-28-01; 92-28, eff. 7-1-01; 92-29, eff. 7-1-01; 92-269, eff.
28 8-7-01; 92-604, eff. 7-1-02; 92-636, eff. 7-11-02; 92-651,
29 eff. 7-11-02; revised 7-26-02.)

30 Section 99. Effective date. This Act takes effect on
31 July 1, 2003."